



City of Carmel

Carmel Board of Zoning Appeals Hearing Officer Monday, February 27, 2005

The meeting was held at 5:15 PM in the Caucus Rooms of City Hall, Carmel, Indiana on Monday, February 27, 2006. The Hearing Officer was Kent Broach.

Department of Community Services Staff in attendance was Angie Conn.

D. Public Hearing:

- 1d. **TABLED: ~~Eden Estates, Sec 2, lot 59 pt—Russell Property~~**
The applicant seeks the following development standards variance:
~~Docket No. 06010012 V—ZO Chapter 7.04.03.B—side yard setback~~
The site is located at ~~3508E Carmel Drive and is zoned R-1/Residence.~~
Filed by ~~C. Joseph & Elizabeth G. Russell.~~
- 2d. **MOVED TO FEB. 27 BZA REGULAR AGENDA (Council Chambers, City Hall, at 6 pm)**
~~Kingswood, Sec 2, lot 31—Policka Property~~
The applicant seeks the following development standards variance:
~~Docket No. 06010013 V—ZO Chapter 25.02.01—front yard fence height~~
The site is located at ~~11125 Westminster Way and is zoned S-2/Residence.~~
Filed by ~~Greg & Gretchen Policka.~~
- 3d. **Clay Terrace - Hilliard Lyons**
The applicant seeks approval for the following development standards variance:
Docket No. 06010015 V PUD Ordinance Z-386-02, Section 10.3.D **electronic information sign**
The site is located near 14390 Clay Terrace Blvd. and is zoned PUD/Planned Unit Development.
Filed by Paul Reis of Drewry Simmons Vornehm, LLP.

Present for the Petitioner: Paul Reis. Also present: Mike Unger, Daktronics; Gail Romine, A Sign By Design; Anthony LaRosa, Hilliard & Lyons; Bill Fulton, Hilliard & Lyons. This will be a new brokerage office in Clay Terrace on the second floor above the retail shops. Signage is governed primarily by the PUD Ordinance, but it was amended by several ordinances in 2003 and 2004 to provide additional flexibility in signs. However, this type of sign was not specifically outlined as an approved sign. This electronic sign will provide financial information, time and temperature, as well as community information. The sign will be located above the White House Black Market store. Pictures were shown. The electronic sign will be in addition to the traditional sign. The scale and location of the sign were

designed to match the architectural features above the two windows. The length of the sign was established by that and the width was dictated by the electronics in order to be legible and to provide the necessary electronics. Illustrations of the sign were shown.

No members of the public were present to speak in favor or opposition to the petition.

The Public Hearing was closed.

Mrs. Conn gave the Department Report. An electronic information sign can be seen as an asset, not just to Clay Terrace but to Carmel as a community. The Department recommended positive consideration.

Discussion followed regarding the location, color and approvals for the sign.

Mr. Broach **APPROVED Docket No. 06010015 V, Clay Terrace – Hilliard Lyons.**

4-5d. TABLED: ~~Townes at Weston Pointe temporary sign~~

~~The applicant seeks approval for the following development standards variances:~~

~~**Docket No. 06010030 V** **ZO Chapter 25.01.01-04(L)** **off premise sign**~~

~~**Docket No. 06010031 V** **ZO Chapter 25.07.03-01** **illuminated temporary sign**~~

~~The site is located at 11055 N Michigan Rd. and is zoned B-2/Business within the US 421 Overlay. Filed by Emily James of Portrait Homes.~~

6d. Arden Townhomes

The applicant seeks approval for the following development standards variance:

Docket No. 06020009 V (PUD Ordinance Z-482, Section 8.4) **Perimeter Planting/Bufferyard**

The site is located at 1940 E 136th St. and is zoned PUD/Planned Unit Development. Filed by Jim Shinaver of Nelson & Frankenberger for Buckingham Properties, Inc.

Present for the Petitioner: Jim Shinaver. Also present were Sara Nasuti and David Leazenby from Buckingham Companies. This property is adjacent to the Carmel High School football field and Smokey Row Road. The property was the subject of a rezone request for townhomes which was unanimously approved by the Carmel City Council in the fall of 2005. On February 21, the Plan Commission unanimously approved the ADLS/DP application. Buckingham would like to utilize an existing tree buffer area that is located on the school property. Photographs were shown of the buffer area. Since the tree buffer area is located off-site, the variance is needed. They had a letter from Ron Farrand of Carmel Clay Schools recommending approval to the School Board. Drafts of the easement document were shown. After this meeting, Ms. Nasuti would be attending the School Board meeting where they anticipate final approval of the easement. After that approval, they would be providing a copy of the recorded easement to the Department.

No members of the public were present to speak in favor or opposition to the petition.

The Public Hearing was closed.

Mrs. Conn gave the Department Report. The Department and the Urban Forester were first concerned about this request for the easement, because it might set a precedent for this type of variance. This is a unique situation with the School Board which is a public entity. The Department recommended positive consideration with the condition that a copy of the recorded easement was provided.

Discussion followed on the location of the buffer area and a proposed trail.

Mr. Broach **APPROVED Docket No. 06020009 V, Arden Townhomes.**

E. Old Business

There was no Old Business.

F. New Business

There was no New Business.

G. Adjourn

The meeting was adjourned at 5:45 PM.

Kent Broach, Hearing Officer

Connie Tingley, Secretary